

The Honorable Robert J. Bryan

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

UGOCHUKWU GOODLUCK NWAUZOR,
FERNANDO AGUIRRE-URBINA,
individually and on behalf of all those
similarly situated,

Plaintiffs/Counter-Defendants,

v.

THE GEO GROUP, INC.,

Defendant/Counter-Claimant.

Case No. 3:17-cv-05769-RJB

**DECLARATION OF COLIN L. BARNACLE
IN SUPPORT OF THE GEO GROUP, INC.'S
OPPOSITION TO PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT**

I, Colin L. Barnacle, make the following statement under oath subject to the penalty of perjury pursuant to the laws of the United States and the State of Washington:

1. I am the attorney for The GEO Group, Inc. ("GEO") in the above-captioned matter. I am over the age of eighteen (18), and I am competent to testify in this matter.

2. Attached are true and correct copies of the following exhibits:

EXHIBIT A: Attached as Exhibit A is the declaration of Tae D. Johnson dated August 1, 2018 and filed in *State of Washington v. The GEO Group, Inc.*, Case No. 17-cv-05806, on August 3, 2018 at ECF No. 91.

EXHIBIT B: Attached as Exhibit B are excerpts from the deposition of Colleen Melody, the 30(b)(6) designee of the Washington Attorney General's Office taken August 10, 2018.

EXHIBIT C: Attached as Exhibit C is the declaration of Bruce Scott dated January 2, 2020, previously filed in this action on January 2, 2020 at ECF No. 228.

1 **EXHIBIT D:** Attached as Exhibit D are excerpts from the deposition of Erwin Delacruz
2 taken December 2, 2019.

3 **EXHIBIT E:** Attached as Exhibit E are excerpts from the deposition of David Tracy
4 taken December 3, 2019.

5 **EXHIBIT F:** Attached as Exhibit F are excerpts from the deposition of Bruce Scott, the
6 30(b)(6) designee for GEO, taken December 10, 2019.

7 **EXHIBIT G:** Attached as Exhibit G is the declaration of Jesus Lopez Paez dated August
8 31, 2018 and filed in *State of Washington v. The GEO Group, Inc.*, Case No. 17-cv-05806, July
9 2, 2019 at ECF 253-22.

10 **EXHIBIT H:** Attached as Exhibit H are excerpts from the deposition of Alisha
11 Singleton taken January 31, 2019.

12 **EXHIBIT I:** Attached as Exhibit I are excerpts from the deposition of Marc Johnson
13 taken December 3, 2019.

14 **EXHIBIT J:** Attached as Exhibit J are excerpts from the deposition of Michael Heye
15 taken December 4, 2019.

16 **EXHIBIT K:** Attached as Exhibit K are excerpts from the deposition of William
17 McHatton taken February 1, 2019.

18 **EXHIBIT L:** Attached as Exhibit L are excerpts from the deposition of Bertha
19 Henderson taken January 30, 2019.

20 **EXHIBIT M:** Attached as Exhibit M are excerpts from the deposition of Leonardo
21 Jaramillo taken June 18, 2019.

22 **EXHIBIT N:** Attached as Exhibit N are excerpts from the deposition of Oguchukwu
23 Nwauzor taken June 19, 2018.

24 **EXHIBIT O:** Attached as Exhibit O are excerpts from the deposition of Fernando
25 Aguirre-Urbina taken June 11, 2018.

26 **EXHIBIT P:** Attached as Exhibit P are excerpts from the deposition of Ryan Kimble,
27 the 30(b)(6) designee for GEO, taken July 9, 2018.

1 **EXHIBIT Q:** Attached as Exhibit Q are excerpts from the deposition of Byron Eagle
2 taken December 5, 2019.

3 **EXHIBIT R:** Attached as Exhibit R are excerpts from the deposition of Sean Murphy
4 taken December 19, 2019.

5 **EXHIBIT S:** Attached as Exhibit S are excerpts from the deposition of Debra Eisen
6 taken December 13, 2019.

7 **EXHIBIT T:** Attached as Exhibit T are excerpts from the 30(b)(6) deposition of Taylor
8 Wonhoff taken August 22, 2019.

9 **EXHIBIT U:** Attached as Exhibit U are excerpts from the deposition of Iolani Menza
10 taken June 27, 2019.

11 **EXHIBIT V:** Attached as Exhibit V is the declaration of Noe Baltazar Noe dated May
12 21, 2019 and filed in *State of Washington v. The GEO Group, Inc.*, Case No. 17-cv-05806, on
13 July 2, 2019 at ECF 253-22.

14 **EXHIBIT W:** Attached as Exhibit W are excerpts from the deposition of Bruce Scott
15 taken May 20, 2019.

16 **EXHIBIT X:** Attached as Exhibit X are emails between Sandy Mullins, Tammy Fellin,
17 Suchi Sharma, Lynne Buchannan, Elizabeth Smith and other individuals from Washington's
18 Department of Labor & Industries.

19 Dated this 27th day of March, 2020 at Denver, Colorado.

20 Akerman, LLP

21 s/ Colin L. Barnacle

22 Colin L. Barnacle, (Admitted *pro hac vice*)
23 Attorney for Defendant The GEO Group, Inc.

PROOF OF SERVICE

I hereby certify on the 27th day of March 2020, pursuant to Federal Rule of Civil Procedure 5(b), I electronically filed and served the foregoing **DECLARATION OF COLIN L. BARNACLE IN SUPPORT OF THE GEO GROUP, INC.'S OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT** via the Court's CM/ECF system on the following:

SCHROETER GOLDMARK & BENDER

Adam J. Berger, WSBA #20714
Lindsay L. Halm, WSBA #37141
Jamal N. Whitehead, WSBA #39818
Rebecca J. Roe, WSBA #7560
810 Third Avenue, Suite 500
Seattle, Washington 98104
Telephone: (206) 622-8000
Facsimile: (206) 682-2305
Email: hberger@sgb-law.com
Email: halm@sgb-law.com
Email: whitehead@sgb-law.com
Email: roe@sgb-law.com

THE LAW OFFICE OF R. ANDREW FREE

Andrew Free (Admitted *Pro Hac Vice*)
P.O. Box 90568
Nashville, Tennessee 37209
Telephone: (844) 321-3221
Facsimile: (615) 829-8959
Email: andrew@immigrantcivilrights.com

OPEN SKY LAW PLLC

Devin T. Theriot-Orr, WSBA #33995
20415 72nd Avenue S, Suite 100
Kent, Washington 98032
Telephone: (206) 962-5052
Facsimile: (206) 681-9663
Email: devin@openskylaw.com

MENTER IMMIGRATION LAW, PLLC

Meena Menter, WSBA #31870
8201 164th Avenue NE, Suite 200
Redmond, Washington 98052
Telephone: (206) 419-7332
Email: meena@meenamenter.com

Attorneys for Plaintiffs

s/ Nick Mangels
Nick Mangels